

Workplace Alaska

Class Specification Hearing Examiner II

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Revised Definition and Special Note

Definition:

Hearing Examiner II is the supervisory level of the series in which employees supervise, coordinate, and mentor subordinate adjudicators and coordinate the accomplishment of an agency's adjudicatory function.

Distinguishing Characteristics:

Hearing Examiners II supervise a section of three or more subordinate adjudicators who conduct hearings and prepare decisions on formal proceedings related to the substantive rights and obligations of persons, including corporations, subject to the provisions of the laws administered by the agency. Supervisory responsibilities include hiring, assigning cases, guiding and mentoring, evaluating performance, and disciplining professional adjudicators.

Employees in this job class provide expert guidance on the interpretation and application of laws, regulations, and precedents; plan and coordinate adversarial hearings; and advise agency management.

Hearing Examiner II is distinguished from Hearing Examiner I by the latter's responsibility for conducting hearings and preparing decisions under the laws administered by an agency.

Hearing Examiner II is distinguished from Chief Administrative Law Judge by the latter's responsibility for administering the adjudicative functions and processes for a variety of state programs in the Office of Administrative Hearings.

Examples of Duties:

Functional Area: Supervision

Assign cases to subordinate adjudicators; set employee performance goals; review findings and decisions; evaluate and provide feedback on performance; provide coaching, mentoring, training, and guidance.

Recruit and hire personnel; make decisions on personnel actions including selection, reassignment, retention, and merit pay advancements.

Identify problems in subordinates' behavior and take appropriate action; take steps to prevent and resolve concerns, conflicts, or grievances.

Communicate to subordinates how their work supports the mission, vision, and strategic goals of the agency.

Confer with agency staff members on technical subjects and provide advice on adjudicatory matters.

Advise agency officials on needed changes in hearing procedures and rules.

Functional Area: Adjudication

Preside over formal hearings and process complex matters filed with the agency or investigations instituted by the agency.

Instruct parties as to their rights and responsibilities.

Issue subpoenas, administer oaths, examine witnesses and receive documentary evidence.

Hear arguments, direct or permit the filing of briefs and make rulings prior to submission of assigned matters.

Analyze pleadings in preparation for hearings and determine the need for, and hold pre-hearing conferences; facilitate and rule on discovery, analyze and evaluate facts and pertinent laws, and exercise independent judgment in preparation and issuance of reports and findings.

Prepare and recommend drafts of opinions, decisions, orders and recommendations for consideration by the agency.

Perform other related duties.

Knowledge, Skills and Abilities:

Dependent on the agency to which assigned:

Knowledge of laws governing the agency and law administered by it, and the judicial interpretation of such laws; rules and regulations of the agency; the conduct of formal hearings and proceedings; rules of evidence and procedure before the hearing body; administrative and constitutional law applicable to the agency; basic principles of organization, structure and classification; valuation of industry operating properties and rate setting procedures.

Ability to supervise adjudicatory staff; conduct proceedings or formal administrative hearings involving controversial issues; do the research on issues which arise in connection with hearings; analyze a variety of controversial positions in light of applicable principles and precedents and exercise independent judgment in arriving at findings of fact and conclusions of law; make accurate summaries of evidence and prepare examiners' reports, opinions, and findings; present written statements of fact, law, and argument clearly and logically; conduct fair and impartial hearings; analyze situations accurately and effectively.

Minimum Qualifications:

Admitted to practice law in Alaska or eligible for admission by reciprocity;

AND

Admitted to practice law for the immediately preceding five years;

AND

Five years of experience in the practice of law which includes experience in administrative or judicial proceedings.

Required Job Qualifications:

(The special note is to be used to explain any additional information an applicant might need in order to understand or answer questions about the minimum qualifications.)

Special Note:

A successful candidate eligible for admission to the Alaska Bar Association by reciprocity must seek admission on motion prior to appointment.

Some positions in this job class are in the Partially Exempt Service under AS 39.25.120(c)(9) and AS 39.25.120(c)(18).

Minimum Qualification Questions:

Have you been admitted to practice law in Alaska or are you eligible for admission by reciprocity?

AND

Have you been admitted to practice law for the five years immediately preceding application for this vacancy?

AND

Do you have five years of experience in the practice of law which includes experience in administrative or judicial proceedings?